

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, as FUND MANAGER)
of the NEW ENGLAND TEAMSTERS AND)
TRUCKING INDUSTRY PENSION FUND)

Plaintiff,)

v.)

PYTKO CONSTRUCTION CORP.)

Defendant,)
_____)

C.A. No. 04cv12001NMG

JOINT PROPOSED PRETRIAL SCHEDULE

Pursuant to the Notice of Scheduling Conference issued by this Court, counsel for the parties have conferred for the express purpose of (a) preparing an agenda of matters to be discussed at the February 23, 2005 scheduling conference, (2) preparing a proposed pretrial schedule for the case that includes a plan for discovery, and (3) considering whether they will consent to trial by magistrate judge.

As a result of said conference between counsel, parties have agreed, subject to Court approval, to prepare for trial in accordance with the following proposed pretrial schedule.

1. All discovery shall be completed by June 1, 2005.
2. Parties shall file any and all Rule 56 Motions for either partial or total summary judgment by July 15, 2005.

For the Plaintiff,
Charles Langone, Fund Manager
By his Attorney,

/s/ Catherine M. Campbell
Catherine M. Campbell, BBO #549397
Feinberg, Campbell, Zack, PC
177 Milk Street
Boston, MA 02109

Dated: February 17, 2005

For the Defendant
Pytko Construction Corp.
By its Attorney,

/s/ Roger LeBoeuf
Roger LeBoeuf, BBO# 62836
Heald & LeBoeuf, Ltd.
58 Weybosset Street, Suite 606
Providence, RI 02903

Dated: February 17, 2005